

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

FRANCISCO JAVIER RIVERA	§	
VS.	§	CIVIL ACTION NO. 1:24-cv-256
UNKNOWN ROBERTSON UNIT DEFS.	§	

## MEMORANDUM OPINION REGARDING VENUE

Francisco Javier Rivera, proceeding *pro se*, filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983 against several unknown Defendants who are employed at the Robertson Unit of the Texas Department of Criminal Justice, Correctional Institutions Division.

The Civil Rights Act, 42 U.S.C. § 1981, *et. seq.*, under which this case is brought, does not contain a specific venue provision. Accordingly, venue is controlled by 28 U.S.C. § 1391. When, as in this case, jurisdiction is not founded solely on diversity of citizenship, 28 U.S.C. § 1391 provides that venue is proper only in the judicial district where the defendants reside or in which the claim arose.

Plaintiff complains of events which occurred at the Robertson Unit, which is located in Jones County, Texas. His claims therefore arose in Jones County. In addition, Defendants appear to reside in Jones County.

Pursuant to 28 U.S.C. § 124(a)(3), Jones County is located in the Abilene Division of the United States Court for the Northern District of Texas. As this case does not appear to have any connection with the Eastern District of Texas, the court is of the opinion this matter should be transferred to the Abilene Division of the Northern District.

ORDER

For the reasons set forth above, it is **ORDERED** that this civil rights action is **TRANSFERRED** to Abilene Division of the United States District Court for the Northern District of Texas.

**SIGNED this the 2nd day of July, 2024.**

A handwritten signature in black ink, appearing to read 'C. L. Stetson', written over a horizontal line.

Christine L Stetson  
UNITED STATES MAGISTRATE JUDGE